IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4279 OF 2005

The State of Maharashtra, .. Applicant
Vs
Babasaheb Baburao Arude & 4 ors. Respondents

Mr A.S.Shitole, APP for the applicant.
Mr V.B.Tapkir, for respondent nos 1 to 5.

CORAM : D.B.BHOSALE, J.

DATED : 26th JUNE, 2006

P.C.:

1. Heard the learned counsel for the parties.

2. This is an application under section 378 of Cr.P.C seeking leave to appeal against the judgment and order of acquittal of the offence punishable under section 498-A of IPC. The complainant is a lady constable in SRP. The evidence on record shows that the complainant hardly stayed with her husband in the matrimonial home. The trial Court on appreciation of the evidence, has held that even if it is assumed that there was harassment to the complainant to some extent, the degree of harassment was not such so as to constitute an offence under section 498-A of IPC. I find absolutely no reason to take a different view in the matter. Considering the reasons recorded by the Court below on appreciation of the evidence on record, the impugned judgment cannot be said to be

unreasonable and perverse. The view taken by the trial Court is a reasonably possible view. In the circumstances, leave to file appeal is refused. The application is dismissed.

(D.B.BHOSALE,J.)